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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,262	11/14/2003	James G. Stanley	086142-0609	8060
22428	7590	09/20/2004	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			DUNN, DAVID R	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/712,262

Applicant(s)

STANLEY ET AL.

ST

Examiner

David Dunn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 14 November 2003 and 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 25-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

The preliminary amendment has been entered; claims 1-24 have been canceled and new claims 25-38 are pending.

#### ***Claim Objections***

1. Claim 1 objected to because of the following informalities: In claim 1, line 6, it appears a word, such as --of-- or --in-- should be inserted after "an opening". Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 36 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 36 recites the limitation "the sensor". There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 25 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's Admitted Prior Art.

In Applicant's Application, Figure 5, Prior Art, shows a seat belt device comprising: a webbing (116); a belt tension sensor (104)); wherein one end of the webbing is connected to the sensor; wherein the end of the webbing is folded to create a folded portion (128) that passes through an opening of the sensor.

Regarding claim 30, the webbing is folded and constrained from unfolding by stitching (126) extending in a direction transverse to the longitudinal direction of the webbing (note: the webbing is folded around the sensor and back up to where it is stitched).

6. Claims 25-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Stojanovski (6,301,977).

Stojanovski discloses a seat belt device comprising: a webbing (12); and a belt tension sensor (see Figure 2); wherein one end of the webbing is connected to the sensor; wherein the end of the webbing is folded to create a folded portion that passes through the opening of the sensor (see Figure 7). The folded portion includes stitching (56; the stitching extends into the folded portion as seen in Figure 7). The width of the folded portion located in the webbing is less than the width of the opening (see both the embodiment of Figure 7 and Figure 9). The stitching runs transverse to the longitudinal direction of the webbing. The webbing includes a

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second stitching adjacent the folded portion to connect the end of the webbing and form a loop (note, there are two separate stitchings in Figure 7).

7. Claim 30 is rejected under 35 U.S.C. 102(e) as being anticipated by O'Boyle (6,336,371).

The webbing is folded and constrained from unfolding by stitching (see Figure 1) extending in a direction transverse to the longitudinal direction of the webbing (note: the webbing is folded around the sensor 24 and back to where it is stitched).

8. Claims 31-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Takada (3,891,272).

Takada discloses a seat belt (see Figure 5) including one end connected to the belt by a first stitching (39) to thereby form a looped portion; wherein the portion of the seat belt adjacent to the looped portion is not folded (34; Figure 5) wherein the looped portion includes a folded portion (fold where stitching 38 is located) and a transition portion (below this folded portion) that fans out from the folded portion to join the unfolded portion of the seat belt; wherein the first stitching is located in the unfolded portion of the belt and wherein a second stitching (38) is located in the folded portion to constrain the belt from unfolding.

The first stitching (39) includes several rows of stitching. The second stitching includes a single row of stitching (38).

### *Claim Rejections - 35 USC § 103*

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takada in view of Stojanovski.

Takada is discussed above and fails to show a tension sensor.

Stojanovski teaches a seat belt with a tension sensor as discussed above.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Takada with the teachings of Stojanovski to provide the seat belt with a tension sensor in order to sense presence of an occupant or child seat in order to control the deployment of an airbag system.

### *Conclusion*

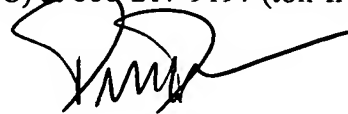
11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Husby shows a seat belt tension sensor. Takada ('193) shows a belt stitching of interest. Fausel shows a belt stitching and folding of interest. Fisher et al. shows a belt attachment of interest. Jitsui shows s belt force sensor.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 703-305-0049. The examiner can normally be reached on Mon-Thur, alt. Fridays, 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 703-308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David Dunn', with a long horizontal stroke extending to the right.

David Dunn  
Primary Examiner  
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